

~~103 CMR 485.00:~~ VOLUNTEERS AND VOLUNTEER PROGRAMS

103 CMR 485

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485.01: Purpose

~~The purpose of 103 CMR 485.00 is to establish establishes rules and regulations for the coordination of volunteers and the operation overall management of volunteer programs services within the Department of Correction. The (Department of Correction or DOC). The Department recognizes that they are volunteers perform an important component integral role in the process of reintegrating the offender into the community facilitating an offender's reentry by helping the offender establish providing a wide range of programming and services designed to reduce recidivism. Volunteer services augment existing Department programs and maintain assist in the establishment and maintenance~~

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of community ties. ~~Furthermore, volunteer programs provide a variety of services and may provide another perspective to the inmate population, thereby complimenting established departmental programs operating in the institutions.~~

103 CMR 485.00 provides ~~for access of volunteers and volunteer programs~~ guidelines to state correctional institutions for inmate access to volunteers and volunteer programs, and reflects the ~~department's~~ Department's obligation to maintain security, safety and order in all state correctional ~~institutions.~~ facilities. Additionally, 103 CMR 485 provides guidelines for volunteers and volunteer programs.

485.02: Statutory Authorization

103 CMR 485 is issued pursuant to M.G.L. c. 124, § 1(q). ~~103 CMR 485~~ is not intended to confer any procedural or substantive rights or any private cause of action not otherwise granted by ~~state~~ state or ~~federal~~ federal law.

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~~485.02~~ Statutory Authorization

~~103 CMR 485.00 is issued pursuant to M.G.L. c. 124, § 1(q).~~

485.03: Cancellation

103 CMR 485.00 cancels all previous ~~departmental~~ Departmental and institutional policy statements, bulletins, directives, orders, notices, rules, and regulations regarding volunteers and volunteer programs.

485.04: Applicability

103 CMR 485.00 is applicable to all employees, inmates, vendors and volunteers at all correctional institutions within the Department ~~of Correction.~~

485.05: Access ~~Teto~~ Regulations

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103 CMR 485.~~00~~ shall be maintained within the Department's central policy file ~~of the department and shall be accessible to all department~~Department employees. A copy of 103 CMR 485.~~00~~ shall also be maintained in each ~~superintendent's~~Superintendent's central policy file and at each inmate library.

485.06: Definitions

Commissioner - The Commissioner of the Department of Correction.

~~Community Service Program - A program, sponsored on a voluntary basis, by a community agency or other community group in such subjects as education, counseling, law, career preparation, substance abuse prevention, recreation, entertainment or religion.~~

~~Coordinator - The head of a volunteer group.~~

~~Emergency - An immediate event or continuing series of events that are of such a grave and serious character that they may imminently threaten life or property or seriously disrupt the functioning of the correctional institution, as determined by the superintendent or a designee of the superintendent.~~

~~Program Coordinator II - The employee designated by the associate commissioner for classification, programs and health services as being responsible for~~ Director of Program and Reentry Services - A program manager responsible for ensuring compliance with Departmental program policies and procedures and the development, implementation and quality control of the Department's reentry continuum.

Director of Volunteer Services - An employee responsible for ~~the coordination of volunteer services.~~

~~Special Event - An event scheduled at a correctional institution for one particular purpose at one particular time. Special events~~ the Department.

Deputy Commissioner of Reentry - The executive staff person whose duties include, but are not limited to,

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~~general entertainment and theatrical or musical performances~~
the management of Classification, Education, Health Services, Programs and Reentry.

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Institutional Volunteer Services Coordinator - An employee who is designated by the Superintendent to coordinate volunteers and volunteer programs at an institutional level.

Permanent Volunteer - Any person from the community, twenty-one (21) years of age or older, and approved via the volunteer application process, to provide services/programming to inmates.

Reentry Volunteer - An active, permanent DOC volunteer who also provides supportive services to, and/or mentors, released offenders as part of his/her affiliation with a community based organization which provides reentry services.

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Special Activity - A faith based, educational, cultural or reentry related activity occurring for a limited or fixed duration (one-time, annually, weekend).

Superintendent - The chief administrative officer ~~at~~of a correctional institution.

Temporary Volunteer - Any person from the community who is ~~over 18 years of age and on a voluntary basis, works with inmates or staff, individually or in groups, in a volunteer program.~~

Volunteer Program - Any program including, but not limited to, any community service program, which is initiated by or includes volunteers.

Volunteer Services Coordinator - A member of the staff of a correctional institution, designated by the superintendent, ~~twenty-one (21) years or older, and who has been recruited for, or is requesting, volunteer status within the primary responsibility for the coordination of volunteers and volunteer program in such institution.~~ Department for a limited and/or specific purpose.

Working Day - Any day other than Saturday, Sunday or a

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~~legal holiday.~~

485.07: Administration and Supervision of Volunteers and Volunteer Programs

~~Volunteer Services Coordinator~~ — (1) The Director of Volunteer Services shall coordinate all volunteer services ~~coordinator in each correctional institution shall be responsible for the coordination of all volunteers and volunteer programs in such institution.~~ —The ~~coordinator's~~ Director's duties shall include, but are not limited to, ~~implementing volunteer orientation programs, facilitating the entry of:~~

- a. Identifying and recruiting volunteers and volunteer programs ~~into the correctional institutions; recommending the disqualification of volunteers or volunteer programs to the superintendent or a designee; supervising inmate liaison; developing and disseminating material;~~
- b. Developing and implementing volunteer and information about volunteers ~~staff training;~~
- c. Updating volunteer opportunities on volunteer web portals;
- d. Assessing and evaluating volunteer programs ~~to all inmates, staff and volunteers; and submitting an services; and~~
- e. Submitting the volunteer annual report, ~~in writing, to the superintendent, to the Deputy Commissioner of Reentry.~~

(2) The Director of Volunteer Services shall solicit feedback from volunteers annually via an on-line volunteer satisfaction survey which shall include projections for the future utilization is available on the Department's home page. The completed surveys shall be compiled annually by the Director of volunteers and volunteer programs. The superintendent will submit the annual Volunteer Services into a single report ~~te~~ and forwarded to the Deputy Commissioner of Reentry.

(3) Each Superintendent shall designate an

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Institutional Volunteer Services Coordinator who shall be responsible for all aspects of volunteer services at his/her institution. The Institutional Volunteer Services Coordinator's duties shall include, but are not limited to:

- a. Identifying and recruiting volunteers and volunteer programs;
- b. Coordinating the volunteer programs and volunteer application process;
- c. Maintaining and updating the designated volunteer database;
- d. Recommending the approval, denial, or rescission of volunteers or volunteer programs;
- e. Developing and disseminating volunteer program material, information and schedules;
- f. Scheduling and coordinating an annual volunteer appreciation event;
- g. Scheduling and coordinating the associate commissioner for classification, programs and health services registration and facilitation of the annual volunteer orientation and re-certification process.

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(4) Each institution shall maintain and update the designated volunteer database. The database shall include, but not be limited to, the following:

- a. Digital photograph;
- b. Identifying information of the volunteer;
- c. Type of volunteer services provided;
- d. Volunteer program schedule;
- e. Dates and time of entrance and egress;
- f. Date of initial approval of volunteer status;
- g. Date(s) of criminal record checks;
- h. Date of initial certification and re-certification and;
- i. Emergency contact information.

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485.08: Recruitment of Volunteers

~~It is the policy of this department to~~ The Department shall recruit volunteers from all cultural and

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socioeconomic segments of the community. ~~Such recruitment is the responsibility of the volunteer services coordinator.~~ The Department shall recruit volunteers through such methods as the use of the internet and community-based speaking engagements.

485.09: Application Procedures for Permanent Volunteers

- (1) ~~Any person who wishes seeking to be a volunteer in a specific state correctional institution shall apply to the volunteer services coordinator at the institution and that individual shall be screened by the volunteer services coordinator. Such screening shall include a criminal background check on all volunteers.~~

- ~~(2) After screening, the volunteer services coordinator shall submit a written recommendation and the completed standard volunteer application of the prospective volunteer to the superintendent to that institution's Volunteer Services Coordinator. The standard volunteer application may be obtained from the Institutional Volunteer Services Coordinator, Director of Volunteer Services or a designee. the Department's website at <http://www.mass.gov/doc/policy>.~~

- (32) ~~The superintendent or a designee~~ Institutional Volunteer Services Coordinator shall review the application ~~of each prospective volunteer to determine the applicant's suitability and eligibility, taking into consideration such factors as the volunteer's background, experience, qualifications, reasons for seeking access to the institution, the current availability and number of volunteers, and similar volunteer programs. Any volunteer rationale for volunteering. The Institutional Volunteer Services Coordinator shall consider whether the volunteer service proposed by the applicant is consistent with the identified needs of the institution and the inmate population. Any applicant seeking to provide professional services shall be qualified, certified, or licensed to provide such services.~~

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(3) A criminal record check shall be completed as part of the application process to identify whether there are criminal convictions that have a specific relationship to the volunteer job performance in accordance with State and Federal statutes. This record will include comprehensive identifier information to be collected and run against law enforcement indices. If suspect information on matters with potential terrorism connections is returned on any candidate, it shall be forwarded to the local Joint Terrorism Task Force or another similar agency.

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(4) The completed application shall be forwarded to the Superintendent's designee who shall make a determination on the application and return the application to the Institutional Volunteer Services Coordinator. The Institutional Volunteer Services Coordinator shall input approved applications in the designated volunteer database and notify the applicant of the approval in writing.

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(5) The Institutional Volunteer Services Coordinator shall also notify the applicant in writing if the application is denied. The notification shall include the reason(s) for the denial. The Institutional Volunteer Services Coordinator shall maintain a copy of the denied application and notification.

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(6) ~~(4) When a superintendent or a designee approves an application of a prospective volunteer, the volunteer shall be notified of the approval and appropriate notation shall be recorded in the records of the volunteer services coordinator. Such approval shall be for a period of time established by the superintendent.~~
The applicant may submit a request in writing to the Superintendent for reconsideration. The applicant shall be notified in writing of the Superintendent's final determination. The notification shall include the reason(s) for the final determination. The Institutional Volunteer Services Coordinator shall maintain a copy of the

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request and Superintendent's final determination on file.

- (7) A permanent volunteer may request volunteer status at additional sites by contacting the Institutional Volunteer Services Coordinator at the additional institution(s). The Institutional Volunteer Services Coordinator shall review and update the designated volunteer database.

485.10: Application Procedures for Ex-Offenders

- (1) The Department recognizes that ex-offenders who have successfully transitioned to the community can serve as positive role models and utilize their unique experience and perspective to facilitate a wide variety of reentry related services. Ex-offenders seeking to volunteer in a state correctional institution may submit a completed standard volunteer application to that institution's Volunteer Services Coordinator.
- (2) Ex-offenders shall not be considered for volunteer status until he or she has been released from custody for a period of at least six months with no subsequent criminal convictions.
- (3) Ex-offenders with post-release supervision shall submit a letter of support from the supervising agency with the standard volunteer application.
- (4) Applicants must not be on the visiting card of any offender; the prospective volunteer must have been off the visiting card of the offender for a minimum of one year.
- (5) The Institutional Volunteer Services Coordinator shall review the application to determine the applicant's suitability and eligibility, taking into consideration such factors as the applicant's experience, qualifications, rationale for volunteering and commitment to a law-abiding lifestyle.

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(6) The Institutional Volunteer Services Coordinator shall consider whether the proposed volunteer service is consistent with the identified needs of the institution and the offender population. Any applicant seeking to provide professional services shall be qualified, certified or licensed to provide such services.

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~~(5) When a superintendent or~~

(7) All applications shall be processed in accordance with 103 CMR 485.09, Application Procedures for Volunteers.

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485.11: Temporary Volunteers

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(1) Any person from the community who has requested to participate in a specific program or has been recruited as a guest speaker for a limited and/or specific purpose may enter each correctional institution via the authorization to enter process a maximum of two (2) times within a calendar year without acquiring permanent volunteer status.

(2) The Shift Commander may authorize the entrance of a temporary volunteer when the information is not available in advance. The Shift Commander shall ensure that a criminal background check is completed and the information is entered in the designated volunteer database prior to the temporary volunteer entering the institution.

(3) Temporary volunteers shall remain under the escort of a staff member or permanent volunteer at all times.

485.12: Reentry Volunteers

(1) The Department recognizes that permanent volunteers who work within the Department and seek to provide supportive services to, and/or to mentor, released offenders as part of their affiliation with a community based, reentry related organization, can serve as positive role models and ensure continuity of care and successful reintegration. Community based, reentry related organizations shall include, but

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not be limited to, the following:

- a. Faith based organizations;
- b. Behavioral health, i.e., substance abuse treatment, medical, and mental health based organizations;
- c. Veteran groups;
- d. Human service organizations;
- e. Career and employment organizations.

(2) ~~a~~ Permanent volunteers seeking to serve as Reentry Volunteers shall submit a Reentry Volunteer Application to their Institutional Volunteer Services Coordinator. The applicant shall also submit a letter of support from the identified community based, reentry related organization. Applicants may obtain a Reentry Volunteer Application from their Institutional Volunteer Services Coordinator, Director of Volunteer Services or the Department's website <http://www.mass.gov/doc/policy>.

(3) Permanent volunteers shall not be considered for reentry volunteer status until they have provided at least one year of active volunteer services with positive evaluations.

(4) The Institutional Volunteer Services Coordinator shall review the application to determine the applicant's suitability and eligibility, taking into consideration such factors as experience, qualifications, rationale for requesting to serve as a reentry volunteer, and affiliation with the named community based, reentry related organization.

(5) The completed application shall be forwarded to the Superintendent's designee ~~denies an application, the applicant who~~ shall make a determination on the application and return the application to the Institutional Volunteer Services Coordinator. The Institutional Volunteer Services Coordinator shall input approved applications in the designated volunteer database. The Institutional Volunteer Services Coordinator shall notify the applicant in writing

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if his/her application is approved.

(6) The Institutional Volunteer Services Coordinator shall also notify the applicant in writing if the application is denied. The notification shall include the reason(s) for the denial. The Institutional Volunteer Services Coordinator shall maintain a copy of the denied application and notification.

(7) The applicant may submit a request in writing to the Director of Program and Reentry Services for reconsideration. The applicant shall be notified in writing as soon as possible of the denial and final determination. The notification shall include the reasons therefore, and such denial shall be appropriately noted in the records of the volunteer services coordinator for the final determination. The Institutional Volunteer Services Coordinator shall maintain a copy of the request and final determination on file.

(8) Applicants shall complete Professional Boundaries training prior to final approval.

~~(6) Upon receipt of notice of the denial of a volunteer application, the applicant may appeal, in writing, the decision of the designee of the superintendent to the superintendent, or request the superintendent reconsider the decision.~~

~~(7) If the superintendent affirms the decision to deny the application of the prospective volunteer or refuses to reconsider the decision, the prospective volunteer shall be notified, in writing, of that decision with reasons as soon as possible. Copies of the decision shall go to the volunteer services coordinator.~~

485.1013: Application Procedures for Volunteer Programs and Special Activities

(1)

Any person or group seeking to establish a volunteer program or special activity in a specific state correctional institution (1) The coordinator of a volunteer program who wishes to

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~~establish that volunteer program in an institution shall file an application with the volunteer services coordinator of the state correctional institution.~~

~~(2) The superintendent of the institution is responsible to ensure that the Departmental program application form is completed and submitted to the associate commissioner for classification, programs and health services for approval.~~

~~(3) Once approved by the associate commissioner for classification, programs and health services, the volunteer services coordinator shall screen the prospective volunteer program.~~

~~(4) After screening, the volunteer services coordinator shall submit a written recommendation along with the application of the prospective completed standard volunteer program application or special activity application to the superintendent or designee that institution's Volunteer Services Coordinator.~~

(2) The Institutional Volunteer Services Coordinator shall review the application to determine if it is consistent with the identified needs of the institution and the offender population and submit a recommendation to the Superintendent.

(3) Approved applications shall be forwarded by the Superintendent to the Director of Program and Reentry Services for further review.

(4) The Director of Program and Reentry Services shall notify the Superintendent in writing of approved applications. Applications denied by the Director of Program and Reentry Services shall be forwarded to the Deputy Commissioner of Reentry for a final determination.

(5) Applications denied by the Superintendent shall be returned to the Institutional Volunteer Services Coordinator. The Institutional

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Volunteer Services Coordinator shall notify the applicant in writing detailing the reason(s) for the denial and reconsideration process and shall maintain a copy on file.

(6) The applicant may submit a request in writing to the Superintendent for reconsideration. The Superintendent shall forward the request for reconsideration with a recommendation to the Director of Program and Reentry Services for final determination.

(7) The Director of Program and Reentry Services shall notify the Superintendent in writing of the final determination detailing the reason(s) for the decision. The Superintendent shall notify the applicant of the final determination detailing the reason(s) for the decision.

(8) No program or special activity shall be implemented prior to the authorization of the Director of Program and Reentry Services.

(9) The Institutional Volunteer Services Coordinator shall maintain a file of all completed program applications and special activity applications.

~~485.14(5) The superintendent or a designee shall approve or disapprove the application of each prospective volunteer program taking into account the following factors: the reasons stated in the application for the prospective volunteer program seeking to provide volunteer services with the correctional institution; the nature of the services; the need for the services; the experience, where appropriate, of the prospective volunteer program; existing volunteer programs within the correctional institution; and the background of the prospective volunteer program.~~

~~(6) When the superintendent or a designee approves an application for a prospective volunteer program, the coordinator of such volunteer program shall be notified in writing of the approval and appropriate notations shall be recorded in the records of the volunteer services coordinator.~~

~~(7) When a superintendent or a designee denies an application,~~

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~~the applicant shall be notified, in writing, as soon as possible of the denial and the reasons therefore. The denial shall be appropriately noted in the records of the volunteer services coordinator.~~

~~(8) All individuals entering institutions shall follow entrance procedures outlined in 103 CMR 485.13. The superintendent may require advance notification for entrance or for any of the procedures outlined in 103 CMR 485.09 for groups with revolving memberships.~~

~~(9) If the superintendent either affirms the decision or refuses to reconsider the decision to deny the application of a prospective volunteer program, the prospective volunteer program shall be notified of that decision with reasons, in writing, as soon as possible. Copies of this decision shall be made available to the volunteer services coordinator.~~

485.11: Orientation

(1) ~~(1)~~ Volunteers shall be informed that the Department welcomes their suggestions regarding establishing policy and procedure related to volunteer programs and the process by which to make such contributions.

(2) ~~(2)~~ All persons who have been approved as volunteers shall participate in an orientation program which shall include, but not be limited to, ~~a presentation of the department's philosophy and review of department and correctional institution rules and regulations with special reference to rules which concern persons employed at or visiting a correctional institution, especially all aspects of the employee handbook. The orientation shall also include a review of laws and department regulations regarding confidentiality. At least one member of the security staff must be included in the orientation program.~~ the following:

- a. (3) 103 CMR 131: News Media Relations;
- b. 103 DOC 153: CORI Regulations;
- c. 103 DOC 215: American Correctional Association Code of Ethics;
- d. 103 DOC 225: Professional Boundaries Policy;

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e. 103 DOC 237: Prevention and Elimination of Workplace Violence;
f. 103 CMR 485: Volunteers and Volunteer Programs;
g. 103 CMR 483: Visiting Procedures, including the dress code;
h. 103 DOC 519 Sexually Abusive Behavior Prevention and Intervention Policy;
i. Prison Rape Elimination Act (PREA);
j. Emergency Procedures;
k. Conflict of Interest Acknowledgment of Receipt;
l. Rules and Regulations Governing All Employees of the Massachusetts Department of Correction.

(3) All volunteers shall be held to the same rules, regulations and standards of propriety as employees of the Department of Correction.

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~~(4) The volunteer services coordinator shall issue to volunteers who have completed the orientation a certificate of completion. Appropriate notations regarding the completion of such programs shall be made in the records of the volunteer services coordinator.~~

(4) The Institutional Volunteer Services Coordinator shall document completion of the orientation program in the designated volunteer database.

(5) Volunteers shall sign both a release form and the rules agreement forms form prior to their initial entrance to the correctional institution. These forms shall be kept on file by the volunteer services coordinator Institutional Volunteer Services Coordinator.

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~~485.12: Special Events~~

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~~(1) If special events are to be scheduled, the superintendent of the institution is responsible to ensure that the Departmental program application form is completed and submitted for approval to the associate commissioner for classification, programs and health services.~~

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(6) Permanent volunteers shall complete an annual re-certification process which shall include, but not be limited to, the following:

- a. Volunteer Training and Acknowledgment of PREA;
- b. Standard Volunteer Renewal Form;
- c. Conflict of Interest Acknowledgment of Receipt;
- d. Emergency Personal Information;
- e. Volunteer Recertification Quiz;
- f. Volunteer Survey;
- g. Review of Massachusetts Department of Correction Summary Rules for Volunteers.

485.15

~~(2) When special events are scheduled, 103 CMR 485.09, 485.10 and 485.11 shall not be applicable; however, applicable laws, rules and regulations governing visitors to correctional institutions shall apply to all persons connected with such special events.~~

485.13: Entrance to Correctional Institutions

- (1) All volunteers shall, upon entering the institution, complete the visitor's log in full and then present ~~to the shift commander~~ a valid driver's license or similar photo identification to the Shift Commander or OIC.
- (2) ~~Each institution shall ensure that applications for all current volunteers are kept on file by the volunteer services coordinator. Institutions must have procedures in place to appropriately identify all volunteers. All files and identification procedures must annually updated.~~
- ~~(3)~~ Applicable laws, rules, and regulations governing the entrance of a person to a correctional institution shall be applicable to volunteers.
- (43) Any questions by institutional personnel regarding the entrance of a volunteer or volunteer program into the correctional institution shall be immediately referred to ~~the~~ volunteer services coordinator.their

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Institutional Volunteer Services Coordinator. The ~~volunteer services coordinator~~Institutional Volunteer Services Coordinator shall attempt to resolve any ~~such questions~~concerns as soon as possible.

- ~~(5) Excluding special events, any individual may enter each correctional institution twice in one calendar year without acquiring permanent volunteer status as outlined in the procedures in 103 CMR 485.09 and 485.10.~~

485.16: Security

~~485.14:~~ Security

- (1) The ~~superintendent~~Superintendent or a designee may assign such institutional personnel as deemed appropriate to volunteers and volunteer programs.
- (2) Applicable laws, rules, and regulations governing persons employed by or visiting a state correctional institution shall be applicable to all volunteers.

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- ~~(3) Any questions by any person regarding security as it relates to volunteers and volunteer programs shall be immediately referred to the volunteer services coordinator or a designee for an answer. Such answers shall be given in a timely manner and, if necessary, after consulting with the appropriate institution personnel.~~

- ~~(4) In an emergency~~ (3) In an emergency, or where there is an alleged violation of a rule or regulation of the correctional institution or of a criminal statute, an officer may, with the approval of the ~~shift commander~~Shift Commander or OIC, order that a volunteer ~~or volunteer program~~ temporarily leave the correctional institution. In such cases, the ~~volunteer services coordinator~~Institutional Volunteer Services Coordinator or a designee shall notify the volunteer, or the coordinator of ~~the~~ volunteer program, as soon as possible regarding the status of said volunteer or volunteer program.

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~~(5)~~ Where there has been an alleged violation of a rule or regulation of the correctional institution or of a criminal statute, the ~~volunteer services coordinator~~ The Institutional Volunteer Services Coordinator shall also submit a written recommendation to the ~~superintendent~~ Superintendent regarding the continued presence of the volunteer or volunteer program in the correctional institution as soon as possible.

(~~6~~4) Where the ~~superintendent~~ Superintendent or a designee, after reviewing the recommendation of the ~~volunteer services coordinator~~ Institutional Volunteer Services Coordinator, rescinds the approval of the volunteer or volunteer program, 103 CMR 485.~~45~~09 shall be fully applicable.

485.~~45~~17: Rescission of Approval for Volunteers and Volunteer Programs

(1) A ~~superintendent~~ Superintendent or a designee may deny ~~entrance of~~ any volunteer or volunteer program entrance to the facility. A ~~superintendent~~ Superintendent or a designee ~~has the right to~~ may rescind the approval of a volunteer or a volunteer program ~~whereunder~~ circumstances that include, but are not limited to, the following:

a. When the volunteer or a volunteer program does not adequately fulfill his/her/its stated purposes; ~~for violation of~~

b. When a rule or regulation of the correctional institution or ~~of a criminal statute; or where~~ or a court order has been violated;

c. When there is reliable evidence that the continued presence of the volunteer or the volunteer program in the correctional institution would present a threat to the security or orderly running of the institution.

(2) When a ~~superintendent~~ Superintendent or a designee

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rescinds the approval of a volunteer or a volunteer program, the volunteer or volunteer program shall be notified of the reasons in writing ~~as soon as possible.~~.

(3) The ~~superintendent~~Superintendent shall notify the ~~associate commissioner of classification, programs and health services~~Deputy Commissioner of Reentry of such rescission, and detail the reason for ~~it as soon as is practical~~the rescission, utilizing the Barred Volunteer Notification form ~~contained in the policy attachments.~~. The ~~associate commissioner of classification, programs and health services~~Deputy Commissioner of Reentry shall ensure that Department-wide notification is made of the rescission.

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(4) ~~(3)~~ The ~~associate commissioner of classification, programs and health services~~The Institutional Volunteer Services Coordinator shall be responsible for notifying the volunteer or the coordinator of the volunteer program, in writing, in the event that the Superintendent rescinds the approval of a volunteer or a volunteer program

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(5) The Deputy Commissioner of Reentry may deny entrance of any volunteer or volunteer program to any or all sites and shall notify the appropriate ~~superintendent~~Superintendent(s) of such denial and the reasons for it as soon as is practical. ~~The associate commissioner of classification, programs and health services will~~The Deputy Commissioner Reentry shall ensure that Department-wide notification is made of the denial.

(4) ~~6)~~ The ~~superintendent~~Superintendent shall take such steps as are necessary to prevent a volunteer or a volunteer program, whose approval has been rescinded, from entering the correctional institution pending ~~any~~ final ~~review~~determination.

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(5) ~~7)~~ The volunteer or the coordinator of the volunteer program may ~~appeal~~request

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reconsideration, in writing, ~~the decision of the~~
~~designee of the superintendent to the~~
~~superintendent, or if~~ as follows:

- a. If approval has been rescinded by the
~~superintendent, request Superintendent's~~
~~designee, by requesting that the~~
~~superintendent~~ Superintendent reconsider
~~the~~ that decision, ~~or if.~~
- b. If approval has been rescinded by the
~~associate commissioner of classification,~~
~~programs and health services, request that~~
~~the associate commissioner~~ Superintendent, by
requesting that the Deputy Commissioner of
Reentry reconsider ~~the~~ that decision;
- c. If approval has been rescinded by the Deputy
Commissioner of Reentry, by requesting that
the Deputy Commissioner of Reentry
reconsider that decision.

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~~+6~~ (8) If the ~~superintendent~~ Superintendent or
~~associate commissioner~~ Deputy Commissioner of
~~classification, programs and health~~
~~services~~ Reentry affirms the decision to rescind,
the volunteer or the coordinator of the volunteer
program shall be notified, in writing, and as
soon as possible, of the ~~decision~~
~~and~~ determination, detailing the reasons.

~~+7~~ (9) The ~~superintendent~~ Superintendent shall
notify the ~~associate commissioner~~ Deputy
Commissioner of ~~classification, programs and~~
~~health services~~ Reentry when a volunteer is
reinstated. It is the responsibility of the
~~associate commissioner~~ Deputy Commissioner of
Reentry to ensure that Department-wide
notification is made of the reinstatement.

485.1618: Responsible Staff

- (1) The ~~associate commissioner~~ Deputy Commissioner of
~~classification, programs and health~~
~~services~~ Reentry is the reviewing authority for

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this ~~policy regulation~~ and shall ensure that all volunteer programs are reviewed and evaluated annually.

- (2) The ~~director~~Director of ~~programs shall be responsible for the implementation~~Program and Reentry Services shall be responsible for the implementation and monitoring of 103 CMR 485.~~00~~ throughout the Department.
- (3) Each ~~volunteer services coordinator~~Institutional Volunteer Services Coordinator, under the supervision of the ~~superintendent~~Superintendent, shall be responsible for the implementation and monitoring of 103 CMR 485.~~00~~ at the institution.

485.~~1719~~: Annual Review Date

103 CMR 485.~~00~~ shall be reviewed at least annually from the effective date by the ~~commissioner~~Commissioner or a designee. The party or parties conducting the review shall develop a memorandum to the ~~commissioner~~Commissioner, with a copy to the central policy file, indicating the revisions, additions, or deletions which shall be included for the ~~commissioner's~~Commissioner's written approval and shall become effective pursuant to applicable law.

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485.~~1820~~: Severability Clause

If any article, section, subsection, sentence, clause or phrase, of 103 CMR 485.~~00~~ is for any reason held to be unconstitutional, contrary to state, in excess of the authority of the ~~commissioner~~Commissioner or otherwise inoperative, such decision shall not affect the validity of any other article, section, subsection, sentence, clause or phrase of 103 CMR 485.~~00~~.

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~~REGULATORY AUTHORITY~~

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~~103 CMR 485.00: M.G.L. C. 124, S 1(q)~~

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